

May 28, 2002

Rural Electric Convenience Cooperative, Co.	:	
and	:	
Soyland Power Cooperative, Inc.	:	
-vs-	:	
Central Illinois Public Service Company	:	
(AmerenCIPS)	:	
	:	01-0675
Complaint pursuant to the Illinois Electric	:	
Supplier Act 220 ILCS 30/1 et. seq.	:	SERVED ELECTRONICALLY

NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

TO ALL PARTIES OF INTEREST:

Notice is hereby given that the Administrative Law Judge, having reviewed the pleadings relating to the Motion to Dismiss Count VII through and including Count XI of the Complaint in the above captioned matter, hereby grants said Motion to Dismiss, strikes Count VII through and including Count XI of the Complaint and dismisses putative co-complainant Soyland Power Cooperative as a party to this matter.

Notice is also given that in reaching this conclusion, the Administrative Law Judge has determined that Soyland is without standing to prosecute this claim under the Electric Supplier Act. The complaint here asks that the Commission determine the party entitled to serve a customer. Soyland has not alleged any facts that would allow the Commission to enter an order granting it the right to serve that customer and, based upon the pleadings, is not possessed of any material facts not in the possession of complainant Rural Electric Convenience Cooperative that will assist the Commission in reaching a decision on the merits.

Accordingly, Soyland has asserted no matters that would allow the Commission to find that it should be allowed to participate in this matter. While Soyland has asserted that it has an economic interest in the outcome of this docket, that assertion (which is accepted as true for the purposes of this ruling) is insufficient to confer standing.

Sincerely,

Donna M. Caton
Chief Clerk

cfr
Administrative Law Judge Woods

cc: Mr. Rockrohr - Engineering

Jerry Tice
Atty. for Rural Electric Convenience
Cooperative, Co.
Grosboll, Becker, Tice & Reif
101 E. Douglas St.
Petersburg, IL 62675 *
mailto:gbtr@fgi.net

French Fraker
Atty. for Soyland Power Cooperative, Inc.
Dobbins, Fraker, Tennant, Joy & Perlstein
214 N. Neil St.
Champaign IL 61820 *
mailto:ffraker@dobbinslaw.com

Michael Hastings
Atty. for Soyland Power Cooperative, Inc.
PO Box 3787
Springfield, IL 62675 *
mailto:hastings@aiec.org

Steven R. Sullivan
Vice President
Central Illinois Public Service Company
One Ameren Plz.
1901 Chouteau Ave.
PO Box 66149, MC 1300
St. Louis, MO 63166-6149 *
mailto:srsullivan@ameren.com

Robert J. Mill
Central Illinois Public Service Company
607 E. Adams St.
Springfield, IL 62739 *
mailto:bob_mill@ameren.com

Scott C. Helmholtz, Esq.
Atty. for AmerenCIPS
Sorling, Northrup, Hanna, Cullen
& Cochran, Ltd.
Suite 800 Illinois Building
PO Box 5131
Springfield, IL 62705 *
mailto:schelmholz@sorlinglaw.com

Gary L. Smith
Atty. for Freeman United Coal Mining Company
Loewenstein, Hagen & Smith, P.C.
1204 S. Fourth St.
Springfield, IL 62703-2229 *
mailto:lexsmith@lhoslaw.com

David Stuva, President
Rural Electric Convenience Cooperative, Co.
PO Box 19
Auburn IL 62615-0019 *
mailto:(217) 438-3212 (fax)